

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS**

ARTEMUS BANKS,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 1:08-CV-02324
	)	
BAXTER INTERNATIONAL INC., a	)	Judge Gettleman
corporation; BAXTER HEALTHCARE	)	
CORPORATION, a corporation, and	)	
SCIENTIFIC PROTEIN	)	
LABORATORIES, LLC, a limited liability	)	
company, ROBERT L. PARKINSON, JR.,	)	
JAMES M. GATLING, and DAVID	)	
ROHRBACH,	)	
	)	
Defendants.	)	

**AGREED MOTION TO EXTEND TIME TO ANSWER OR OTHERWISE RESPOND**

Defendants Baxter International Inc., Baxter Healthcare Corporation, Robert L. Parkinson, Jr. and James M. Gatling ("Defendants") move this Court for an extension of time for Defendants to file their responsive pleading pending the Court's decision on Defendants' Motion to Stay Proceedings Pending Transfer to the Judicial Panel on Multidistrict Litigation.

1. Defendants previously moved for a stay of all proceedings pending transfer to the Judicial Panel on Multidistrict Litigation and the Court continued that motion until a hearing on Thursday, May 22, 2008;

2. Defendants' answer would be due Wednesday, May 21, 2008;

3. Counsel for Plaintiff and Defendants agree to an extension of time for Defendants to file their responsive pleading pending the Court's ruling on the motion to stay;

4. Should the Court deny Defendants' motion to stay, Defendants' will file their responsive pleading on an agreed upon date to be set at the May 22 hearing;

This the 19th day of May, 2008.

Respectfully submitted,

/s/ Leslie M. Smith, P.C.

Leslie M. Smith, P.C., Attorney No. 6196244

Kirkland & Ellis LLP

200 East Randolph Drive

Chicago, IL 60601

telephone: (312) 861-2000

facsimile: (312) 861-2200

**CERTIFICATE OF SERVICE**

I, Leslie M. Smith, P.C. do hereby certify that on May 19, 2008, I caused a copy of the foregoing **AGREED MOTION TO EXTEND TIME TO ANSWER OR OTHERWISE RESPOND** to be served on Plaintiff's counsel by overnight delivery:

Donald J. Nolan  
Paul R. Borth  
Jennifer L. Parker  
NOLAN LAW GROUP  
20 North Clark Street, 30th Floor  
Chicago, Illinois 60602-4109  
Tel: (312) 630-4109

This the 19th day of May, 2008.

\_\_\_\_\_/s/ Leslie M. Smith, P.C.  
Leslie M. Smith, P.C.